

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DAVID J. VOACOLO
44 Elkton Street
Hamilton, New Jersey 08619,

Plaintiff,

v.

Civil Action No. _____

FEDERAL NATIONAL MORTGAGE
ASSOCIATION
3900 Wisconsin Avenue, NW
Washington, DC 20016-2892,

and

FEDERAL HOUSING FINANCE AUTHORITY
1700 G Street, NW, 4th Floor
Washington, DC 20552,

and

UNITED STATES DEPARTMENT OF THE
TREASURY
1500 Pennsylvania Avenue, NW
Washington DC 20220,

Defendants.

COMPLAINT

PRELIMINARY STATEMENT

The complaint of the plaintiff, David J. Voacolo, respectfully shows and alleges as follows:

1. This is an action under the Administrative Procedure Act, 5 U.S.C. §§ 701 – 706 (“APA”), and the Housing and Economic Recovery Act of 2008, 12 U.S.C. §§ 1455, 1719, 4617

(“HERA”), which arises out of the purchase by Plaintiff David J. Voacolo (“Plaintiff” or “Voacolo”) of sixty-four thousand shares (64,000) of stock (the “Shares”) in Defendant Federal National Mortgage Association (“Fannie Mae”) during August of 2009, after Fannie Mae had been placed under the conservatorship of Defendant Federal Housing Finance Authority (“FHFA”).

2. Under HERA, FHFA became the Conservator of Fannie Mae, following the execution of the Amended and Restated Senior Preferred Stock Purchase Agreement (the “Purchase Agreement” or “SPSPA”) on September 26, 2008. *See* Purchase Agreement, available at http://www.fhfa.gov/Conservatorship/Documents/Senior-Preferred-Stock-Agree/2008-9-26_SPSPA_FannieMae_RestatedAgreement_N508.pdf (last accessed June 26, 2016).

3. Plaintiff purchased the Shares on the basis of statements made by FHFA that the conservatorship would terminate promptly upon a determination that the FHFA’s plan as Conservator had successfully restored Fannie Mae to a safe and solvent condition.

4. Approximately three years after Voacolo’s purchase, in August of 2012, Fannie Mae had regained solvency, and was again making profits.

5. Shortly after the announcement regarding Fannie Mae’s profitability was made, on August 17, 2012, Defendant United States Department of the Treasury (“Treasury” or “U.S. Treasury”), acting through Defendant FHFA, executed the Third Amendment to the Purchase Agreement (the “Third Amendment”). *See* Third Amendment, available at <https://www.treasury.gov/press-center/press-releases/Documents/Fannie.Mae.Amendement.pdf> (ast accessed June 26, 2016).

6. Under the terms of the Third Amendment, Plaintiff has been deprived of dividend payments from and of the value of the Shares, without just compensation therefor, in violation of

the terms of the Purchase Agreement in effect at the time of Voacolo's purchase of the Shares; and without the due process required by the Fifth Amendment to the United States Constitution.

JURISDICTION AND VENUE

7. This action arises under the APA, 5 U.S.C. §§ 701–706, and HERA, 12 U.S.C. §§ 1455, 1719, 4617. The Court has subject-matter jurisdiction over this action under 28 U.S.C. § 1331.

8. Jurisdiction and venue in this Court are also proper pursuant to Section 6.4 of the Purchase Agreement.

9. Plaintiff has standing to file this complaint. Plaintiff is a good-faith purchaser for value of the Shares, purchased after Fannie Mae entered conservatorship, and purchased on the basis of statements made by Defendants.

PARTIES

10. Plaintiff David J. Voacolo, is a resident of the State of New Jersey. Plaintiff resides at 44 Elkton Street, Hamilton, New Jersey 08619.

11. Defendant Federal National Mortgage Association (“Fannie Mae”) is a federally-chartered corporation that has its principal place of business at 3900 Wisconsin Avenue, NW, Washington, DC 20016-2892, with multiple regional offices around the United States of America.

12. Defendant Federal Housing Finance Authority (“FHFA”) is an agency or instrumentality of the United States, with its headquarters at 1700 G Street, NW, 4th Floor, Washington, DC 20552, and is the appointed Conservator of Defendant Fannie.

13. Defendant United States Department of the Treasury (“Treasury” or “U.S. Treasury”) is an agency or instrumentality of the United States, having its headquarters at 1500 Pennsylvania Avenue, NW, Washington, DC 20220, and it is the purchaser, pursuant to 79.9% of

the common stock of Fannie Mae on a fully-diluted basis pursuant to a September 7, 2008 Purchase Agreement and amendments thereto.

FACTUAL ALLEGATIONS

14. Due to what has become known as the Housing Crisis (or Economic Crisis), Fannie Mae was not solvent in September 2008.

15. Pursuant to federal legislation, on September 7, 2008, the FHFA became Fannie Mae's conservator, and published a statement on its website that, "[u]pon the Director's determination that the Conservator's plan to restore the Company to a safe and solvent condition has been completed successfully, the Director will issue an order terminating the conservatorship." *See* Federal Housing Finance Agency, "FAQs: Questions and Answers on Conservatorship," September 7, 2008, *available at* <http://www.fhfa.gov/Media/PublicAffairs/Pages/Fact-Sheet-Questions-and-Answers-on-Conservatorship.aspx> (accessed on June 14, 2016).

16. On or about September 26, 2008, the U.S. Treasury and Defendant Fannie Mae entered a Senior Preferred Stock Purchase Agreement ("SPSPA" or "Purchase Agreement"), under which the U.S. Treasury would provide billions of dollars to Defendant Freddie Mac in exchange for 10% dividends and the right to purchase 79.9% of Fannie Mae's stock. *See* Restated and Amended Purchase Agreement,

17. In August of 2009, Plaintiff, relying on statements by the Defendants that the conservatorship would terminate once the Companies became solvent again, purchased 64,000 shares of Defendant Fannie Mae's stock at the rate of seventy-seven cents per share (\$0.77/share).

18. Plaintiff subsequently sold 14,000 of these shares, but continues to own the remaining 50,000 Shares.

19. On August 9, 2012, Susan McFarland, then the Chief Financial Officer of Defendant Fannie Mae, informed the United States Treasury that Defendant Fannie Mae's financial condition had improved to the point that it was again making profits.

20. Approximately one week later, on August 17, 2012, Defendants Fannie Mae and the Treasury entered the Third Amendment to Amended and Restated Senior Preferred Stock Purchase Agreement (the "Third Amendment"). *See* Third Amendment, *available at*

21. Pursuant to the terms of the Third Amendment, Defendant Fannie Mae has been paying 100% of its profits to the United States Treasury.

22. But for the Third Amendment, Plaintiff would have been entitled to a portion of the benefit of those profits in proportion to his Shares.

23. Plaintiff, through his attorneys, sent Defendant Fannie Mae several legal notices regarding this deprivation to no avail.

24. Plaintiff had no involvement in the entering of the Third Amendment, nor had he had an opportunity to have his objection heard.

25. Upon information and belief, the United States always intended that the taxpayers would reap a profit from the Treasury's investment in Defendant Fannie Mae. *See* Letter from Randall DeValk to Charles E. Grassley, Chairman of the Committee on the Judiciary, *available at* <http://online.wsj.com/public/resources/documents/GrassleyResponse04212015.pdf> (Treasury conceded that it "did not make a simple 'loan' to Fannie and Freddie...The terms of the preferred stock agreements are intended to compensate Treasury and the taxpayers...not to pay back a one-time loan...Any private lender would demand substantial compensation." *Id.* at 3) (last accessed June 26, 2016); *see also* Federal Housing Finance Agency: Office of Inspector General, "White Paper: FHFA-OIG's Current Assessment of FHFA's Conservatorships of

Fannie Mae and Freddie Mac,” at 31 (March 28, 2012) (referring to bailout of Fannie Mae as “Treasury’s outstanding investment.”), *available at* <http://www.fhfa.org/Content/Files/WPR-2012-001.pdf> (last accessed June 26, 2016).

26. Therefore, statements made by Defendants to the effect that the conservatorship would end once Fannie Mae was deemed solvent were made with the knowledge that the conservatorship would, in reality, continue until such time as Defendant U.S. Treasury deems taxpayers to have received a “sufficient return” on their “investment.”

27. Upon information and belief, these misstatements were made in order to encourage potential shareholders, such as Plaintiff had been at the time, and reassure them that they could expect to profit from an investment in Defendant Fannie Mae.

COUNT I

28. Plaintiff hereby repeats, re-alleges, and reincorporates by reference paragraphs 1 – 27, as if set forth in full herein.

29. The APA empowers the Court to “hold unlawful and set aside agency action, findings, and conclusions” that are “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.” 5 U.S.C. § 706(2)(A).

30. But for the operation of the Third Amendment, Plaintiff’s 50,000 Shares would now be valued at approximately \$ 35 (thirty-five dollars) per share, for a total of \$ 1,750,000.00 (1.75 million dollars).

31. Accordingly, the Third Amendment deprives Plaintiff of what his shares would otherwise be worth, and he has therefore been deprived of his property.

32. Upon information and belief, it was not a coincidence that, approximately one week after the Treasury was informed that the Companies were again making profits, Defendants arranged to have 100% of those profits paid to the Treasury.

33. Plaintiff had no opportunity to voice objections or otherwise be heard prior to the execution of the Third Amendment.

34. The Third Amendment to the SPSPA therefore violated Plaintiff's Due Process rights under the Fifth Amendment to the U.S. Constitution and constituted an illegal exaction.

35. Accordingly, Defendants actions were arbitrary, capricious, or otherwise not in accordance with the law.

36. All conditions precedent to the filing of this suit have occurred or have been performed.

RELIEF REQUESTED

WHEREFORE, Plaintiff prays the Court for relief and judgment as follows:

- A. Hold that Defendants' actions in executing and implementing the Third Amendment were arbitrary, capricious, or otherwise not in accordance with the law;
- B. Award Plaintiff monetary relief in the sum of \$2,500,000;
- C. Award to Plaintiff his litigation expenses, including reasonable attorney fees, costs, and expert witness fees; and
- D. Award such other relief as the Court finds to be just and proper.

Respectfully Submitted,

Dated: June 26, 2016

/s/ Alexander J. E. English _____
Alexander J. E. English, Esq.
D.C. Dist. Ct. Bar #: MD0005

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bruschambers.ang@gmail.com
Attorneys for Plaintiff

CIVIL COVER SHEET

JS-44 (Rev. 3/16 DC)

<p>I. (a) PLAINTIFFS DAVID J. VOACOLO</p> <p>(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF <u>Mercer</u> (EXCEPT IN U.S. PLAINTIFF CASES)</p>	<p>DEFENDANTS FEDERAL NATIONAL MORTGAGE ASSOCIATION FEDERAL HOUSING FINANCE AUTHORITY UNITED STATES DEPARTMENT OF THE TREASURY</p> <p>COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____ (IN U.S. PLAINTIFF CASES ONLY) <small>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</small></p>
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<p>(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Alexander J. E. English 9980 Guilford Rd., No. 102 Jessup, MD 20794 301-466-4024</p>	<p>ATTORNEYS (IF KNOWN)</p>
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<p>II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)</p> <p><input type="radio"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="radio"/> 2 U.S. Government Defendant</p> <p><input type="radio"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="radio"/> 4 Diversity (Indicate Citizenship of Parties in item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY!</p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> </tr> </thead> <tbody> <tr> <td>Citizen of this State</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;"><input type="radio"/> 4</td> <td style="text-align: center;"><input type="radio"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="radio"/> 5</td> <td style="text-align: center;"><input type="radio"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="radio"/> 6</td> <td style="text-align: center;"><input type="radio"/> 6</td> </tr> </tbody> </table>		PTF	DFT		PTF	DFT	Citizen of this State	<input type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 4	<input type="radio"/> 4	Citizen of Another State	<input type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input type="radio"/> 5	Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6
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IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place an X in one category, A-N, that best represents your Cause of Action and one in a corresponding Nature of Suit)

<p><input type="radio"/> A. Antitrust</p> <p><input type="checkbox"/> 410 Antitrust</p>	<p><input type="radio"/> B. Personal Injury/Malpractice</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Federal Employers Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Medical Malpractice</p> <p><input type="checkbox"/> 365 Product Liability</p> <p><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Product Liability</p>	<p><input checked="" type="radio"/> C. Administrative Agency Review</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><u>Social Security</u></p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p><u>Other Statutes</u></p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input checked="" type="checkbox"/> 890 Other Statutory Actions (If Administrative Agency is Involved)</p>	<p><input type="radio"/> D. Temporary Restraining Order/Preliminary Injunction</p> <p>Any nature of suit from any category may be selected for this category of case assignment.</p> <p>*(If Antitrust, then A governs)*</p>
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<p><input type="radio"/> E. General Civil (Other)</p>	<p>OR</p>	<p><input type="radio"/> F. Pro Se General Civil</p>
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<p><u>Real Property</u></p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent, Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p> <p><u>Personal Property</u></p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p>	<p><u>Bankruptcy</u></p> <p><input type="checkbox"/> 422 Appeal 27 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p><u>Prisoner Petitions</u></p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus & Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Conditions</p> <p><input type="checkbox"/> 560 Civil Detainee – Conditions of Confinement</p> <p><u>Property Rights</u></p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 840 Trademark</p> <p><u>Federal Tax Suits</u></p> <p><input type="checkbox"/> 870 Taxes (US plaintiff or defendant)</p> <p><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609</p>	<p><u>Forfeiture/Penalty</u></p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 690 Other</p> <p><u>Other Statutes</u></p> <p><input type="checkbox"/> 375 False Claims Act</p> <p><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 430 Banks & Banking Rates/etc.</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 462 Naturalization Application</p> <p><input type="checkbox"/> 465 Other Immigration Actions</p>	<p><input type="checkbox"/> 470 Racketeer Influenced & Corrupt Organization</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Satellite TV</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 896 Arbitration</p> <p><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p> <p><input type="checkbox"/> 890 Other Statutory Actions (if not administrative agency review or Privacy Act)</p>
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<input type="radio"/> G. Habeas Corpus/ 2255 <input type="checkbox"/> 530 Habeas Corpus – General <input type="checkbox"/> 510 Motion/Vacate Sentence <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="radio"/> H. Employment Discrimination <input type="checkbox"/> 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) *(If pro se, select this deck)*	<input type="radio"/> I. FOIA/Privacy Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)*	<input type="radio"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> K. Labor/ERISA (non-employment) <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> L. Other Civil Rights (non-employment) <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 Americans w/Disabilities – Employment <input type="checkbox"/> 446 Americans w/Disabilities – Other <input type="checkbox"/> 448 Education	<input type="radio"/> M. Contract <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran’s Benefits <input type="checkbox"/> 160 Stockholder’s Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> N. Three-Judge Court <input type="checkbox"/> 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN
 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify)
 6 Multi-district Litigation
 7 Appeal to District Judge from Mag. Judge

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)
 5 U.S.C. § 706, Unlawful actions under the Housing & Economic Recovery Act of 2008

VII. REQUESTED IN COMPLAINT	CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 <input type="checkbox"/>	DEMAND \$ _____	JURY DEMAND: YES <input type="checkbox"/> NO <input type="checkbox"/>
VIII. RELATED CASE(S) IF ANY	(See instruction)	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/> If yes, please complete related case form

DATE: 06/26/2016	SIGNATURE OF ATTORNEY OF RECORD: /s/Alexander J. E. English
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INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the cover sheet.

- I.** COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III.** CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV.** CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI.** CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII.** RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk’s Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Columbia



DAVID J. VOACOLO

Plaintiff(s)

v.

UNITED STATES DEPARTMENT OF THE TREASURY

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) UNITED STATES DEPARTMENT OF THE TREASURY
1500 Pennsylvania Avenue, NW
Washington DC 20220
Attention: Under Secretary for Domestic Finance

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Alexander J. E. English
9980 Guilford Rd., No. 102
Jessup, MD 20794

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk